

(xxvii) an attempt, incitement or conspiracy to commit, or any assistance or other participation in, any offence for which surrender may be granted under this Agreement.

(2) Where surrender of a fugitive offender is requested for the purpose of carrying out a sentence, a further requirement shall be that a period of imprisonment or detention of at least six months remains to be served.

(3) For the purpose of this Article, in determining whether an offence is an offence against the law of the requested Party, the conduct of the person shall be examined by reference to the totality of the acts or omissions alleged against the person without reference to the elements of the offence prescribed by the law of the requesting Party.

(4) For the purposes of paragraph (1) of this Article, an offence shall be an offence according to the laws of both Parties if the conduct constituting the offence was an offence in the requesting Party at the time it was committed and an offence in the requested Party at the time the request for surrender is received.

### ARTICLE 3

#### Surrender of Nationals

The Government of Hong Kong reserves the right to refuse the surrender of nationals of the state whose Government